

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Albert Schwaab
DOCKET NO.: 05-23852.001-R-1
PARCEL NO.: 18-25-102-053-0000

The parties of record before the Property Tax Appeal Board are Albert Schwaab, the appellant, by attorney Rusty A. Payton of the Law Offices of Rusty A. Payton, P.C., Chicago, Illinois; and the Cook County Board of Review.

The subject property is a 17-year old, one-story style dwelling of masonry construction containing 1,528 square feet of living area with a full unfinished basement.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted for consideration seven comparable properties. On the appellant's grid analysis, four of the comparables are described as one-story or one and one-half story frame or masonry dwellings that are between 63 and 67 years old, but the age and physical characteristics of the other three comparables were not disclosed. On the appellant's map, one of the comparables is located near the subject, and the other six are located approximately one-half to three-quarter mile away. The comparables contain from 1,172 to 1,630 square feet of living area and have improvement assessments ranging from \$7.36 to \$8.93 per square foot. The subject's improvement assessment is \$14.05 per square foot. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented four comparable properties consisting of one-story masonry dwellings that are between 37 and 43 years old and are located on the same block as the subject. The dwellings contain from 1,144 to 1,272 square feet of living area and have improvement assessments ranging from \$14.14 to

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	3,827
IMPR.:	\$	21,466
TOTAL:	\$	25,293

Subject only to the State multiplier as applicable.

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\$15.00 per square foot. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

The Board finds that none of the comparables was truly similar to the subject property in age, location, and physical characteristics to provide clear and convincing evidence that the property was inequitably assessed. However, the Board notes that all comparables had improvement assessments ranging from \$7.36 to \$15.00 per square foot. The subject's improvement assessment of \$14.05 per square foot of living area falls within this range. After considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported, and a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.